

**Before the State of South Carolina
Department of Insurance**

In the matter of:

Regina W. Moore
354 S. Heckle Blvd., Apt. C
Rock Hill, SC 29730-7518.

SCDOI File Number 124262

**Default Order Revoking
All Licensing Privileges**

This matter comes before me pursuant to a Letter of Allegation and Notice of Opportunity for Public Hearing served, as required within S.C. Code Ann. § 38-3-170 (Supp. 2004), by the State of South Carolina Department of Insurance upon Regina Moore, a licensed South Carolina resident insurance agent, by both certified mail, return receipt requested, and by regular mail on March 14, 2005.

That letter informed Ms. Moore of her right to request a public hearing upon the allegations of impropriety contained within the letter against her. The letter further warned that her failure to make a timely, written request would result in my summary revocation of her license to do business as a resident insurance agent within the State of South Carolina. Despite that warning, she has failed to respond to the Department's letter, and to provide her new address. On May 2, 2005, therefore, counsel for the Department filed an Affidavit of Default, and submitted the entire matter directly to me for my summary decision based solely on the record.

The letter alleged, and I now find as fact, that while licensed to do business as a resident insurance agent within the State of South Carolina, Regina Moore "Failed to Return Premiums collected from consumers, to Monumental Life Insurance Company." These acts, as alleged, are a direct violation of S.C. Code Ann. § 38-43-130 (Supp. 2004). That Code section provides that "the Director or his designee may revoke or suspend an agent's license after ten day's notice...when it appears that an agent...has willfully deceived or dealt unjustly with the citizens of this State." This Code section goes on in Subsection (C)(4) to describe "deceived or dealt unjustly with the citizens of this state" specifically to include, "improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business."

In accordance with my findings of fact, and considering Ms. Moore's complete refusal to avail herself of her opportunity to be heard, I now conclude, as a matter of law, that she willfully deceived and dealt unjustly with the citizens of South Carolina, thereby violating S.C. Code Ann. § 38-43-130(C)(4) (Supp. 2004), and that all of her licensing privileges should be revoked.

This administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2004). Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. § 38-3-110 (4) (Supp. 2004).

It is therefore ordered that Regina Moore's license to transact business as a resident insurance agent within the State of South Carolina be, and is hereby, revoked, and that no license, issued through the State of South Carolina Department of Insurance is to be issued to her.

It is further ordered that a copy of this Order be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Ms. Moore is currently licensed, through the State of South Carolina Department of Insurance, as a resident insurance agent within the State of South Carolina.

This order becomes effective as of the date of my signature below.

Eleanor Kitzman
Director

May , 2005, at
Columbia, South Carolina

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Affidavit of Default

Personally appeared before me John B. O'Neal III, who, being duly sworn, stated that at all times relevant to this Affidavit of Default he was the attorney representing the State of South Carolina Department of Insurance (the Department) in this administrative action. He further stated the following:

The Department served notice on Regina Moore, at the address detailed above by a Letter of Allegation and Notice of Opportunity for a Public Hearing that the Department would request the Director of Insurance to summarily revoke her license to act as a resident insurance agent within the State of South Carolina in thirty days. The Department served the Notice, pursuant to § 38-3-170 of the South Carolina Code, by "depositing it in the United States mail, postage prepaid, addressed to the last known address of the person and registered with the return receipt requested." The Notice further informed Ms. Moore of her opportunity, within thirty days, to request in writing a public hearing.

The Department mailed the Notice by certified mail, return receipt requested, and by regular mail, on or about March 14, 2005. The United States Postal Service notified respondent of the certified letter at least on March 17 of the current year. See "Exhibit A" attached. The United States Post Office then returned the certified letter unopened to the Department, having marked it as "Return to Sender." The Notice sent via regular mail was not returned.

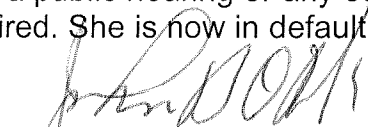
Regina Moore has made no request for a public hearing or any other response to the Notice. The time in which to do so has expired. She is now in default.

Sworn to and subscribed before me
this 21 day of May, 2005.



Steven R. DuBois

Notary Public for the State of South Carolina-My Commission Expires: May 10, 2009



John B. O'Neal III
Associate General Counsel
South Carolina Department of Insurance
Post Office Box 100105
Columbia, South Carolina 29202
(803) 737-6132